

REMARKS

Claims 1–2, 4–11, 13–20 and 22–27 were pending at the time of the Office Action. Independent claims 1, 10 and 19 have been amended. These amendments add no new subject matter and are supported by the specification at p. 13, lines 18–20 and in Fig. 9, among other places.

Claims 1–2, 6–11, 15–20 and 24–27 stand rejected under 35 U.S.C. 103(a) as unpatentable over U.S. Patent No. 6,191,797, issued to Politis, in view of U.S. Patent No. 6,069,633, issued to Apparao et al. However, the Politis patent does not suggest a generating step, which generates a new merged object including at least a first source object and a second source object superimposed on said first source object, as recited in Claim 1.

Claims 1, 10 and 19 are amended and new claims 25 – 33 are added by way of the instant preliminary amendment.

The Examiner points out that "wherein said generating means generates a new merged object including at least a first source object and a second source object superimposed on said first source object" of claim 1 is disclosed in column 5, lines 25-27 of US 5,926,185. However, the section in column 5, lines 21-43 including column 5, lines 25-27 explains removing double contours, which are generated due to overlapping of a contour drawn by a "fill" command and a line drawn by a "stroke" command. Here, the "fill" command is a PostScript command for filling the inside of the present "path", and the "stroke" command is a PostScript command for drawing a line in the present "path". The commands are described, for example, in the homepages as follows: (see attachments)

<http://www.cs.indiana.edu/docproject/programming/postscript/operators.html>

<http://www.deex.co.jp/ps/>

Therefore, a first object drawn by the "fill" command has an area, while a second object drawn by the "path" command has no area. On the other hand, according to claim 1,

"said generating means generates a new merged object including at least a first source object having an area and a second source object having an area and superimposed on said first source object", that is, both objects have areas, and an operation of claim 1 is merging two objects having areas and is not removing double contours. Therefore, claim 1 is patentably distinguished from US 5,926,185.

The above argument would also apply to claims 10 and 19.

The examiner points out that "wherein said generation step generates said new objects from a transparent or translucent source object and other source objects located at a layer lower than a layer including said transparent or translucent source object and spatially overlapping said transparent or translucent source object" of claim 1 is disclosed in column 9, lines 42-43 of US 5,926,185. However, there is a mention in this section that "the objects in the sequence must be all opaque (solid) or all transparent" That is, such a case is excluded that some of the objects in the sequence are opaque (solid) and the others of the objects in the sequence are transparent. On the other hand, according to claim 28, a first object is transparent or translucent, while a second object is not transparent nor translucent. In addition, there is an explanation in column 8, lines 15-60 including column 9, lines 42-43 that a blend is transformed to a continuous tone. On the other hand, according to claim 28, a transparent or translucent object is merged with a non-transparent and non-translucent object, which is different from the conversion. Therefore, claim 28 is patentably distinguished from US 5,926,185.

The above argument would also apply to claims 29-30.

According to claims 31-33, a description document accords with any one of MHEG-5, DHTML and SMIL. Such a limitation is not disclosed in the references.

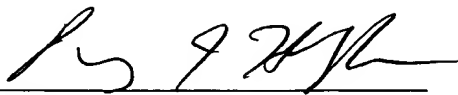
For the foregoing reasons, it is thought that the application is in condition for allowance. However, if the Examiner should believe otherwise, she is respectfully requested

to telephone the undersigned attorney before issuing a new Office Action. Any reasonably necessary amendments will be made promptly.

Reconsideration and allowance are requested.

Respectfully submitted,

Dated: 10-30-03


Perry J. Hoffman, Reg. No. 37,150
MICHAEL BEST & FRIEDRICH LLC
401 North Michigan Avenue
Chicago, Illinois 60611
Telephone 312.222.6636
Fax 312.222.0818

S:\client\204432\0019\C0278088.1